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By: **Delegates Moe, Barkley, Barve, Benson, Bobo, Branch, Bronrott, Brown, Busch, Cadden, Carter, Conroy, Costa, Doory, Dwyer, Feldman, Franchot, Frush, Fulton, Gaines, Goodwin, Gordon, Griffith, Gutierrez, Harrison, Haynes, Hixson, Hogan, Holmes, Howard, Hubbard, Hurson, Kach, Kelley, King, Kirk, Lee, Leopold, Love, Madaleno, Malone, Marriott, McKee, Menes, Montgomery, Niemann, Oaks, Paige, Parker, Patterson, Pendergrass, Petzold, Proctor, Quinter, Ramirez, Rosenberg, Shank, Simmons, V. Turner, Vaughn, and Weldon**

Introduced and read first time: February 27, 2004  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Statewide Application**

3 FOR the purpose of requiring the vehicle emissions inspection program to be applied  
4 in all counties in the State on or before a certain date; making certain  
5 conforming changes; and generally relating to the vehicle emissions inspection  
6 program.

7 BY repealing and reenacting, with amendments,  
8 Article - Transportation  
9 Section 23-202(a) and 23-203(a)(3)  
10 Annotated Code of Maryland  
11 (2002 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Transportation**

15 23-202.

16 (a) (1) Subject to subsection (d) of this section AND PARAGRAPH (3) OF THIS  
17 SUBSECTION, the Administration and the Secretary shall establish an emissions  
18 control program in the State in accordance with the federal Clean Air Act.

19 (2) The program shall remain in effect only as long as required by federal  
20 law.

1 (3) NOTWITHSTANDING ANY PROVISION OF STATE OR FEDERAL LAW, ON  
2 OR BEFORE DECEMBER 31, 2007, THE EMISSIONS CONTROL PROGRAM ESTABLISHED  
3 UNDER THIS SECTION SHALL APPLY IN ALL COUNTIES IN THE STATE.

4 23-203.

5 (a) (3) (i) If, on or after July 1, 1991, [the Administration and Secretary  
6 are required by federal law to extend the emissions control program to additional  
7 areas of the State and] the Administration and Secretary determine that the  
8 inspection facilities can be installed and operated more effectively and economically  
9 by one or more independent contractors than if installed and operated by the  
10 Administration and Secretary, the Administration and Secretary may:

11 1. Award the installation and operation of the inspection  
12 facilities to one independent contractor for the installation and operation of all  
13 inspection facilities in this State; or

14 2. Create separate regions of the areas of the State required  
15 to participate in an emissions control program for the purpose of separately awarding  
16 contracts for the installation and operation of the inspection facilities required for  
17 each region to one or more independent contractors.

18 (ii) All independent contractors shall be selected in accordance with  
19 the procedures established under the State Finance and Procurement Article.

20 (iii) The Administration and the Secretary may establish a  
21 statewide centralized or decentralized program or any combination of centralized and  
22 decentralized programs in separate regions of the State.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2004.